



*Pricing information, EDM*  
**Georg von Holtzbrinck GmbH & Co. KG**  
*November 6, 2008*

KPMG Deutsche Treuhand Gesellschaft  
Aktiengesellschaft [publicly traded corporation]  
Auditing Company  
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**Personal and Highly Confidential**

Our ref: HB

Dr. Anna Reich  
Georg von Holtzbrinck GmbH & Co. KG  
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70184 Stuttgart

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November 6, 2008

**Price information and non-binding service recommendation for EDM (Evidence and Disclosure Management) support for Georg von Holtzbrinck GmbH & Co. KG**

Dear Dr. Reich

Based on our conversation on September 15, 2008 in Stuttgart, we are sending you the following recommendation on the services we can provide, along with the associated price information as well as an estimate of costs. We reserve the right to submit a binding bid at a later date.

**1. Initial Situation**

Due to a lawsuit against its subsidiary "StudiVZ LTD" (hereinafter "StudiVZ") being pursued in the U.S. by the company "Facebook," the company Georg von Holtzbrinck GmbH & Co. KG (hereinafter "Holtzbrinck") is expecting to be required to disclose ("Disclosure Order") all electronic data of StudiVZ, Holtzbrinck, and other subsidiaries, particularly Holtzbrinck Networks GmbH and Holtzbrinck Ventures GmbH, that may be relevant to the lawsuit.

The data of the above-mentioned companies that may be relevant to the disclosure were identified by the American law firm of "Greenberg Glusker," which has been retained by Holtzbrinck, and secured by KPMG. The volume of data secured is 11,900 GB.

**2. Requirements for E-Disclosure**

Holtzbrinck must disclose all data and communications relevant to the lawsuit for a possibly upcoming Disclosure Order. For this step, the secured data inventory is reviewed by attorneys retained by Holtzbrinck and the data from the data inventory relevant to the case are identified, extracted in an appropriate form, and submitted to the court.



Today, the use of information systems allows the review of the documents to be performed much more efficiently than the traditional, paper-based method. Duplicates are purged from the entire data inventory, which is quite extensive, the data is qualified according to time period and file type, a full-text index is generated, and the data is searchable by keyword. Using these methods, it is typically possible to reduce the data inventory to below 10%.

The inventory of documents remaining after these preliminary steps may then be qualified by an attorney in the review platform. This review may be conducted anywhere in the world over a secured and encrypted Internet-based access. The amount of documents to be submitted to the court is frequently reduced to considerably less than 0.1% of the observed initial amount of data.

### **3. Litigation Support by KPMG in the Various Stages – Services and Advantages Offered by KPMG**

**Using the process steps described in detail below with the forensic tools, the data volume to be reviewed by attorneys is considerably reduced; in our experience, amounts of 10% or lower are completely realistic. The amount of time spent by the attorneys to review the documents is reduced accordingly, as are the corresponding costs and the time and expense required for document production.**

The reduced-volume amount that is attainable may vary depending on the selection of relevant file types, keywords for full-text searches, and the time periods to be reviewed.

KPMG will be able to support Holtzbrinck in the various steps of the entire process:

- **Project management** from project planning to document production
- **“Data preparation:”** preparation of the forensically secured evidence for further handling and processing (restoration of deleted files, suppression of operating system data, extraction of all relevant files – relevant file contents and file types must be defined explicitly before extraction). For forensically secured PCs, we are typically able to reduce the data volume to 7 to 10% of the original.
- **“Processing:”** Forensic data analysis of data that have been processed in this manner using specialized IT methods according to multiple criteria (e.g., relevance, legal character, etc.) in order to produce the most complete picture possible of the communication and information circumstances. This includes
  - Unduplication of documents (removal of duplicates from backups and e-mail). Typically reduces data volume by 50%.



- Identification of documents relevant to the search (e.g., by the use of keywords and time periods coordinated with the attorneys) by the use of forensic tools. In this context, “keyword” refers to an individual word, a phrase, or a Boolean search expression. Reduction of data volume depends heavily on keywords; however, reductions to less than 20% are realistic.
- **“Review:”** Providing the extracted data on an IT platform for review and qualification by attorneys retained by Holtzbrinck
- **“Production:”** Preparation of the results in the form of documents suitable for filing in court, i.e., when necessary, conversion into text and .tiff file formats



#### 4. Prices

Description	Basis	Rate in €
<b>Data Processing with Attenex Workbench</b>		
Processing with Attenex Workbench (Unduplication, indexing, and search) includes hardware, software, licenses, and operation of the software		
0 – 500 GB	Gigabyte	700
500 GB – 5000 GB	Gigabyte	600
5000 GB and above	Gigabyte	500
<b>Data Review with Attenex Docmapper</b>		
Review using Attenex DocMapper (Analysis, review, and reporting)		
0 – 100 GB	Gigabyte	1800
100 – 1000 GB	Gigabyte	1500
1000 GB and above	Gigabyte	1200
Data hosting on our Internet platform (per month)	Gigabyte	50
Review user access to our Internet platform (per month)	per user	50
<b>Expenses for Data Preparation, Processing, and Production</b>		
Extraction of specific file types, conversion of e-mails	Hourly	220
Processing expenses (loading, processing, handling of data)	Hourly	220
Individual software training (3 hours included)	Hourly	220
<b>Consulting rates</b>		
Project management and coordination, quality control, and review		
Partner	Hourly	390
Director	Hourly	350
Senior Manager	Hourly	300
Manager	Hourly	280
Assistant Manager	Hourly	250
Senior Associate	Hourly	200
Associate	Hourly	180



**Forensic Technology Services  
Cost Estimate (highly confidential)**

for the publishing group of Georg von Holtzbrinck GmbH & Co. KG: Data Processing and Review

Bid acceptance after examination by KPMG Risk Management and in accordance with the Generally Accepted Practices [AAB] for Auditors and Auditing Companies, version dated January 1, 2002

**Project Overview**

**Project Timeline**

To be determined

**Model A: Data management and review using Attenex, processing of the full data volume**

**Data sources, volume estimates, and basic assumptions**

(Note: Volume assumptions are based on estimates of the amount of data. Changes to the assumptions have a direct effect on the cost estimate.)

Description	Number of custodians	Units	Total GBs	Number of reviewers
Assumptions regarding data volume				
Data volume, number of custodians	85		1500	
Expected number of reviewers				20
Expected reduction in data volume after keyword search		80%	300	
Expected reduction in data volume, unduplication per custodian		50%	150	
Expected data volume to be extracted for Attenex DocMapper			150	
<b>I. Forensic Preprocessing of Data</b>				
<b>Description</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
Forensic preprocessing of data	€ 220	Hourly	300	€ 66,000
(extraction of relevant data from PC images and server data)				
<b>Total for preprocessing</b>				<b>€ 66,000</b>
<b>II. Use of Keyword Searches, Unduplication, and Processing with Attenex</b>				
<b>Attenex</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
<b>Processing and Review with Attenex Workbench and Document Mapper</b>				
Stage 1: Processing in Attenex Workbench for applying the keyword search, unduplication (Basis: 1500 GB)	€ 500	Gigabyte	1500	€ 750,000
Stage 2: Attenex Document Mapper Review (Basis: 150 GB)	€ 1500	Gigabyte	150	€ 225,000
<b>Attenex Training</b>				
Attenex training for reviewers	€ 0	Hourly	4	€ 0
<b>Total for Attenex</b>				<b>€ 975,000</b>
<b>Review Hosting Costs</b>				
<b>Description</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
Data hosting at the service provider for Internet review	€ 50	Gigabyte x 12 mo.	1800	€90,000
Providing access for reviewers	€ 50	Per reviewer x 12 mo.	240	€12,000
<b>Monthly total for hosting</b>				<b>€ 102,000</b>
<b>III. Project Management, Quality Assurance</b>				
<b>Description</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
Project quality assurance by partners	€390	Hourly	80	€ 31,200
Project management and coordination	€ 280	Hourly	400	€ 112,000
<b>Total for project management and quality assurance</b>				<b>€ 143,200</b>
<b>Total</b>				<b>€ 1,286,200</b>

**Assumptions:**

- 1 Data management in the offices of KPMG and its contractors in Germany and the UK
- 2 Project duration calculated at 12 months
- 3 Use of Attenex in Data Centers of KPMG and its contractors in Germany and the UK, review via Internet
- 4 20 to 30 keywords for the keyword search
- 5 Data are neither corrupt nor encoded

**Note:**

Ad-hoc queries and additional ad-hoc reporting queries and resolution of anomalies (files that cannot be processed without manual access) are not included. These services will be charged according to our contracted hourly rates. Costs for project management and quality assurance may increase as the complexity of the project grows. We will inform you in the course of regular reporting if this is the case.

Model A: Processing of all data



**Forensic Technology Services**  
**Cost Estimate (highly confidential)**

for the publishing group of Georg von Holtzbrinck GmbH & Co. KG: Data Processing and Review

Bid acceptance after examination by KPMG Risk Management and in accordance with the Generally Accepted Practices [AAB] for Auditors and Auditing Companies, version dated January 1, 2002

**Project Overview**

**Project Timeline**

To be determined

**Model B: Data management and review using Attenex, processing part (10%) of the full data volume**

**Data sources, volume estimates, and basic assumptions**

(Note: Volume assumptions are based on estimates of the amount of data. Changes to the assumptions have a direct effect on the cost estimate.)

Description	Number of custodians	Units	Total GBs	Number of reviewers
<b>Assumptions regarding data volume</b>				
Data volume, number of custodians	8		150	
Expected number of reviewers				20
Expected reduction in data volume after keyword search		80%	30	
Expected reduction in data volume, unduplication per custodian		50%	15	
Expected data volume to be extracted for Attenex DocMapper			15	
<b>I. Forensic Preprocessing of Data</b>				
<b>Description</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
Forensic preprocessing of data (extraction of relevant data from PC images and server data)	€ 220	Hourly	60	€ 13,200
<b>Total for preprocessing</b>				<b>€ 13,200</b>
<b>II. Use of Keyword Searches, Unduplication, and Processing with Attenex</b>				
<b>Attenex</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
<b>Processing and Review with Attenex Workbench and Document Mapper</b>				
Stage 1: Processing in Attenex Workbench for applying the keyword search, unduplication (Basis: 1500 GB)	€ 700	Gigabyte	150	€ 105,000
Stage 2: Attenex Document Mapper Review (Basis: 150 GB)	€ 1800	Gigabyte	15	€ 27,000
<b>Attenex Training</b>				
Attenex training for reviewers	€ 0	Hourly	4	€ 0
<b>Total for Attenex</b>				<b>€ 132,000</b>
<b>Review Hosting Costs</b>				
<b>Description</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
Data hosting at the service provider for Internet review	€ 50	Gigabyte x 2 mo.	30	€ 1,500
Providing access for reviewers	€ 50	Per reviewer x 2 mo.	40	€ 2,000
<b>Monthly total for hosting</b>				<b>€ 3,500</b>
<b>III. Project Management, Quality Assurance</b>				
<b>Description</b>	<b>Rate</b>	<b>Unit</b>	<b>Quantity</b>	<b>Cost</b>
Project quality assurance by partners	€390	Hourly	20	€ 7,800
Project management and coordination	€ 280	Hourly	120	€ 33,600
<b>Total for project management and quality assurance</b>				<b>€ 41,400</b>
<b>Total</b>				<b>€ 190,100</b>

**Assumptions:**

1. Data management in the offices of KPMG and its contractors in Germany and the UK
2. Project duration calculated at 2 months
3. Use of Attenex in Data Centers of KPMG and its contractors in Germany and the UK, review via Internet
4. 20 to 30 keywords for the keyword search
5. Data are neither corrupt nor encoded

**Note:**

Ad-hoc queries and additional ad-hoc reporting queries and resolution of anomalies (files that cannot be processed without manual access) are not included. These services will be charged according to our contracted hourly rates. Costs for project management and quality assurance may increase as the complexity of the project grows.  
We will inform you in the course of regular reporting if this is the case.

Model B: Processing 10% of all data



Naturally, we will structure the project flexibly and explicitly according to your requirements.

After we have adapted this project to your individual needs and clarified the relevant basic parameters, we will be pleased to send you a binding bid containing a specified description of services as well as the establishment of additional basic parameters (in addition to and beyond the stipulations in Item 5 below) such as, for example, agreement regarding our liability.

We are prepared to give you a 10% discount on our consulting rates for this project.

#### **5. Additional, non-exclusive remarks regarding the contents and basic technical parameters**

The collected data will be stored and processed on separate, specially secured data processing facilities of KPMG in Munich, Cologne, or London.

In the first step of pre-processing and EDM processing, the data may be accessed only locally and on-site in Munich, Cologne, or London.

We would like to explicitly state at this point that **legal analysis** of the circumstances discussed does not lie within the scope of this project.

The necessary data will be transferred and/or transmitted to us in a manner compliant with all statutory regulations. Holtzbrinck shall consult with its authorized data security agents and, if necessary, affected parties as well as employee representation organizations to ensure that the relevant legal provisions are observed and project-related use as well as any additional storage of the data by KPMG, if necessary, may be conducted in an acceptable manner.

As a precaution, we would like to note that, if original data media are delivered to us, our liability for damages or technical defects in these original data media is limited to cases in which we caused the damages to occur by gross negligence or with intent.

We would like to make you aware of the fact that this type of project, in its scope as well as in its goals, is fundamentally different from an audit of annual financial statements or similar activities. As a result, we will not be issuing any certificate, nor will we provide any other form of certification or warranty with regard to any annual reports to which we may have referred for our work, or with regard to internal control systems of the Holtzbrinck Group.

In the course of the project, KPMG will continuously verify based on information available at the time whether a conflict of interest is present. If we detect a conflict of interest of this kind, said conflict of interest will constitute good cause, entitling KPMG to



refuse to continue the project without giving a reason. In such a case, KPMG shall be freed of its obligation to provide any additional services. Other cases of cause that give KPMG the right to refuse performance include, for example:

- the existence of conflicting interests (§ 53 Auditor Regulation [Wirtschaftsprüferanordnung])
- concerns of prejudice (§ 49 Auditor Regulation)
- serious damage to an existing client relationship.

If you have any questions about this non-binding proposal regarding the services we can provide and our prices or if you require more information, please feel free to contact us personally.

Best regards,

Günter Degitz  
Partner

Helmut Brechtken  
Manager

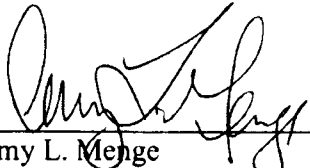


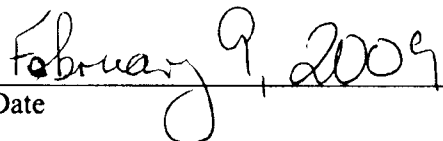
# CERTIFICATION

I, Amy Lynn Menge, residing at

10205 Antietam Avenue  
Fairfax, VA 22030

do hereby certify that, as a translator certified by the American Translators Association in German-to-English translation, I am conversant with both the German and English languages and that the attached English document is a true and accurate translation, to the best of my knowledge and ability, of the German document attached hereto.

  
\_\_\_\_\_  
Amy L. Menge

  
\_\_\_\_\_  
Date